

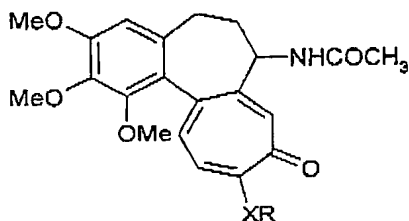
REMARKS

Responsive to the preliminary lack of unity determination, applicants provisionally elect Group I, claims 10-12 and 15-16, drawn to compounds and compositions of Formula I when the linker is cycloalkyl or phenylene, with traverse.

Responsive to the election of species requirement, applicants provisionally elect the compound of Example 2, with traverse. Claims 11, 14 and 15 are readable upon this elected species.

The reasons for traverse follow:

BELLET U.S. 3,090,729 (BELLET) is offered in the Official Action to support the lack of unity determination. However, BELLET discloses only demethylated colchicines derivatives having the empirical formulae  $C_{21}H_{23}O_6N$  and  $C_{21}H_{23}O_5N$  (see Examples I and II), obtained from a compound of formula:



Thus, the compounds of BELLET containing only one colchicine moiety do not anticipate the core structure of the compounds of the claimed invention, which necessarily contain two N-deacetylthiocolchicine moieties linked together through a G1-linker-G2 bridge. In other words, none of the Markush

alternatives recited by the present claims is anticipated by the cited prior art.

Applicants respectfully submit that the single general inventive concept linking together the compounds encompassed in Formula (I) is the presence of two N-deacetylthiocolchicine moieties linked together through a G1-linker-G2 bridge, wherein the G1/G2 groups and the linker are selected from specific groups. The contribution over the prior art lies in the fact that the compounds of the claimed invention have a wide activity spectrum on resistant tumors, as explained in detail in the present specification.

Moreover, it is respectfully submitted that in applying the same legal standard with similar claims, the International Searching Authority did not determine the unity of invention as lacking. Thus, the Patent Office has the benefit of the search report but fails to explain why a different legal conclusion was reached.

In view of the above discussion, applicants respectfully submit that the imposed restriction requirement to a single invention of Groups I-IV as set forth in the outstanding Official Action is improper and should be withdrawn.


Favorable action on the merits of all the pending claims in their full scope is therefore respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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